

HAS THIS HAPPENED TO YOU?

- ◆ You found an advertising for a home that sounded right for you. You called the number given and learned the home was still available. You scheduled an appointment and went right over. When you arrived in person you were told, "Sorry, it was just rented/sold."
- ◆ You applied for a home mortgage. While you have had some problems in the past, you now have sufficient income and a good credit record. The bank says you don't meet their qualifications.
- ◆ When looking for a home to purchase, the real estate agent keeps showing you homes in only one neighborhood or particular area of town. The agent also makes statements like, "we feel this area would be right for you", or "we're sure you wouldn't be happy in that neighborhood."
- ◆ You have never had any problems at your rental property or made a late payment, however after your landlord hears you and your roommate use affectionate terms for each other you are given a notice of eviction.

If these situations or anything similar has happened to you, you might be a victim of housing discrimination. To find out about filing a complaint or for information on your local agency, visit our website. You have **300 days** from the date of learning about the alleged discrimination to file a complaint. Under some circumstances, you may also file a federal complaint with the US Dept. of Housing and Urban Development. See www.hud.gov.



These new provisions took effect on July 1, 2007.



Iowa Civil
Rights Commission



Iowa Civil Rights Commission
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400 E. 14th St
Des Moines, IA 50319

Phone: (515) 281-4121
(800) 457-4416
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www.state.ia.us/government/crc

Iowa Civil Rights Commission

SEXUAL ORIENTATION & GENDER IDENTITY

A Housing Provider's Guide to Iowa Law Compliance



The mission of the Civil Rights Commission is enforcing civil rights through compliance, mediation, advocacy, and education as we support safe, just, and inclusive communities.

Iowa Law

Effective July 1, 2007, the Iowa Civil Rights Act (Iowa Code Chapter 216) was expanded to add sexual orientation and gender identity to the list of protected classes. It is now ILLEGAL in Iowa to discriminate against a person because of his/her sexual orientation or gender identity.

What do these new terms mean?

“Sexual Orientation” means actual or perceived heterosexuality, homosexuality or bisexuality.

“Gender Identity” means a gender-related identity of a person, regardless of the person’s assigned sex at birth.

“LGBT” means lesbian, gay, bisexual, or transgender.



The Iowa Code may be found at www.legis.state.ia.us/

Who must obey this law?

Anyone providing housing. This includes...

- ◆ Landlords, Apartment Agents, Nursing Homes, Public Shelters, Condo Associations;
- ◆ Real Estate Agents & Brokers;
- ◆ Builders, Architects, and Developers;
- ◆ Advertising Media (newspapers, etc.);
- ◆ Sellers of Property & Housing Services; and
- ◆ Insurance Companies and Agents.

This guidance document is designed for general educational purposes only and is not intended, nor should it be construed as or relied upon, as legal advice.

FAQ’S

- 1) May a housing provider or homeowner refuse to rent or sell his/her property because of the buyer’s sexual orientation or gender identity? → **NO.**
- 2) May a housing provider or newspaper attempt to avoid LGBT applicants by advertising, “No Gays” or “Prefer Married Couples”? → **NO.**
- 3) Is an individual protected if a housing provider or seller thinks the person’s sexual orientation is different than it really is and acts on that perception? → **YES.** The legal definition of sexual orientation includes “perceived” orientation.
- 4) Can a housing provider or property owner charge someone more or refuse to sell/rent to a person because of the sexual orientation of their guests? → **NO.**
- 5) Is it OK for a real estate agent to show only certain properties or neighborhoods to potential renters or buyers because of their sexual orientation or gender identity? → **NO.**



Contact the ICRC for more information: (515) 281-4121

- 6) What are appropriate questions for a housing provider or seller ask about a person’s sexual orientation or gender identity? → Only questions that are relevant to the transaction, such as credit history and references. Questions relating to a person’s sexual orientation or gender identity, or questions intended to ascertain a person’s sexual orientation or gender identity are irrelevant and should be avoided.

- 7) Besides refusal to sell or rent, what other terms and conditions are covered? → Among other things, a housing provider may not charge a different price or deposit price, refuse to make repairs or delay repairs, or evict a tenant because of their sexual orientation or gender identity.



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- 8) May a shelter or dormitory require a patron to use a facility inconsistent with their gender identity? → **NO.** People must be allowed to use facilities consistent with their gender identity.

- 9) Is any housing not covered? Yes. Iowa law contains some exceptions for rental housing. **For more information on these exceptions, please see Iowa Code Section 216.12. This can be found at: www.legis.state.ia.us/lowaLaw.html.**

- 10) What actions are illegal? The following activities are examples of prohibited discrimination, if based on a person’s sexual orientation or gender identity:
 - ◆ Refusing to rent or sell property
 - ◆ Refusing to make repairs or delaying repairs
 - ◆ Saying that housing is unavailable when it is actually available
 - ◆ Showing housing only in certain areas
 - ◆ Harassing tenants, guests, or prospective tenants/ buyers. Coercing or intimidating anyone assisting another with their fair housing rights.
 - ◆ Retaliating in any way against a person opposing or making a complaint of discrimination.